

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD HODGES,

Petitioner,

No. CIV S-04-2087 MCE KJM P

vs.

DAVID RUNNELS, Warden,

Respondent.

ORDER

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Petitioner, a state prisoner proceeding with counsel, has filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner has paid the filing fee.

Because petitioner may be entitled to the requested relief if the claimed violation of constitutional rights is proved, respondent will be directed to file a response to petitioner's application.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Respondent is directed to file an answer within sixty days from the date of this order. See Rule 4, Rules Governing Section 2254 Cases. Respondent shall include with the answer any and all transcripts or other documents relevant to the determination of the issues presented in the application. Rule 5, Rules Governing Section 2254 Cases;

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1                   2. Petitioner's traverse, if any, is due on or before thirty days from the date  
2 respondents' answer is filed; and

3                   3. The Clerk of the Court shall serve a copy of this order together with a copy of  
4 petitioner's application for writ of habeas corpus on Jo Graves, Senior Assistant Attorney  
5 General.

6 DATED: May 13, 2005.

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10 UNITED STATES MAGISTRATE JUDGE  
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